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**APPROVED BY THE BOARD
JUNE 18, 2007**

FINAL ACTION AGENDA/MINUTES

"SPECIAL MEETING"

**URBAN RENEWAL AGENCY
OF THE CITY OF SALEM, OREGON**

**June 11, 2007
6:30 P.M.**

A. ROLL CALL: 6:33 P.M.

Present: Chair Taylor, and Board Members Walker, Nanke, Sullivan, Rogers, Stucky, DeHart and Clem, and Guest Board Member Claudia Howells. Absent: Board Member Tesler.

Pledge of Allegiance

Led by Chair Taylor

Motion: Move to approve the special meeting agenda.

Motion by: Board Member Nanke

Seconded by: Board Member Sullivan

Action: Approved the special meeting agenda

Vote:

Aye: Unanimous

Nay:

Abstentions:

B. PUBLIC COMMENT: (Comment on **specific agenda items** other than public hearings and deliberations. Each person's comments will be limited to three minutes.)

None.

C. ACTION ITEMS:

- (1) Amendment to Intergovernmental Agreement - Terms of Loan from City of Salem to Urban Renewal Agency of the City of Salem - Ward 2 - Board Member Tesler - CAN-DO and SCAN (UD)

Motion: Move to adopt staff recommendation to approve an amendment to an Intergovernmental Agreement (IGA) to increase the amount of a loan from the City of Salem to the Urban Renewal Agency of the City of Salem, for the purpose of funding a feasibility study, urban renewal plan, and urban renewal report for a proposed South Waterfront Urban Renewal Area.

Motion by: Board Member Nanke
Seconded by: Board Member Rogers

Action: Approved an amendment to an Intergovernmental Agreement (IGA) to increase the amount of a loan from the City of Salem to the Urban Renewal Agency of the City of Salem, for the purpose of funding a feasibility study, urban renewal plan, and urban renewal report for a proposed South Waterfront Urban Renewal Area.

Vote:
Aye: Unanimous
Nay:
Abstentions:

- (2) First Amendment to the Disposition and Development Agreement for the 295 Church Street SE Redevelopment Project - Ward 2 - Board Member Tesler - CAN-DO (UD)

Motion: Move to adopt staff recommendation to approve the first amendment to the Disposition and Development Agreement with Cascadia Development LLC (Cascadia) for the 295 Church Street SE redevelopment project (Attachment A of the staff report) to:
1) increase predevelopment cost by \$69,100 to \$317,580 for both public facilities; and 2) revise the design development schedule to allow for additional time to deliver the 50% pricing estimate - from May to July 2007.

Motion by: Board Member Nanke
Seconded by: Board Member Rogers

Action: Approved the first amendment to the Disposition and Development Agreement with Cascadia Development LLC (Cascadia) for the 295 Church Street SE redevelopment project (Attachment A of the staff report) to: 1) increase predevelopment cost by \$69,100 to \$317,580 for both public facilities; and 2) revise the design development schedule to allow for additional time to deliver the 50% pricing estimate - from May to July 2007.

Vote:

Aye: Unanimous

Nay:

Abstentions:

D. PUBLIC HEARING:

- (1) FY 2007-08 Salem Urban Renewal Agency Budget (CM)

Persons Testifying: None.

For:

Against:

Neutral:

Organizations: None.

For:

Against:

Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

Questions or Comments by: Board Member Nanke and Chair Taylor.

Motion: Move to approve the Budget Committee recommended FY 2007-08 Salem Urban Renewal Agency Budget.

Motion by: Board Member Nanke

Seconded by: Board Member Sullivan

Action: Approved the Budget Committee recommended FY 2007-08 Salem Urban Renewal Agency Budget.

Vote:

Aye: Unanimous

Nay:

Abstentions:

E. ADJOURNMENT: 6:41 P.M.

Kathy Hall, City Recorder

**APPROVED BY COUNCIL
JUNE 25, 2007**

FINAL ACTION AGENDA/MINUTES

**SALEM CITY COUNCIL
Immediately Following Urban Renewal Agency Meeting
CITY OF SALEM, OREGON
June 11, 2007**

1. ROLL CALL: 6:42 P.M.

Present: Mayor Taylor and Councilors Nanke, Sullivan, Stucky, Rogers, DeHart and Clem, and Guest Councilor Claudia Howells. Absent: Councilor Tesler.

2. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES: Representatives of City Boards, Commissions and Committees may comment on any item of City business except public hearings, deliberations and the merits of land use issues that are reviewable by Council at public hearings. Representatives must sign up prior to the commencement of this meeting in order to present testimony.

None.

3. PUBLIC COMMENT: Up to thirty minutes is available for persons other than City Boards, Commissions and Committee representatives to comment on specific agenda items other than public hearings, deliberations and the merits of land use issues that are reviewable by Council at public hearings. Each person's comments will be limited to three minutes.

Time will be provided at the end of the meeting for comments on issues of City business not on the agenda.

None.

4. CONSENT CALENDAR: All items on the Consent Calendar that will be adopted as a group by a single motion.

Motion: Move to approve the Consent Calendar, minus pulled item 4.2 (e) - Councilor DeHart.

Motion by: Councilor Nanke
Seconded by: Councilor Sullivan

Action: Approved the Consent Calendar, minus pulled item 4.2 (e) - Councilor DeHart.

Vote:

Aye: Unanimous

Nay:

Abstentions:

4.1 MINUTES:

- (a) June 4, 2007

Action: Approved the June 4, 2007 minutes.

4.2 RESOLUTIONS:

- (a) Resolution No. 2007-53 Dedicating Property located at the east right-of-way line of Pringle Road SE, east of Vista Avenue SE for street and right-of-way - Ward 3 - Councilor Nanke - Morningside (PW)

Action: Approved.

- (b) Resolution No. 2007-54 Dedicating Property located at the north right-of-way line of Davis Road S, east of Skyline Road for street and right-of-way - Ward 7 - Councilor DeHart - Sunnyslope (PW)

Action: Approved.

- (c) Resolution No. 2007-55 Authorizing a Transfer of Appropriation to be Expended for the Purpose of Making Debt Service Payments on the City of Salem's Section 108 Loan (UD)

Action: Approved.

- (d) Resolution No. 2007-56 Authorizing a Transfer of Appropriation to be Expended for the Purpose of Completing the Proposed South Waterfront Urban Renewal Plan and Report - Ward 2 - Councilor Tesler - CAN-DO and SCAN (UD)

Action: Approved.

- (e) Resolution No. 2007-62 Setting Fees and Charges for the Towing of Vehicles (PD)

Action: Pulled by Councilor DeHart - see agenda item 5 (a).

4.3 ROUTINE ITEMS:

- (a) Administrative Decision - Partition No. 07-11 - Joseph and Marnie Grimmell - 2652 Sunnyview Road NE - Ward 1- Lansing (CD)

Action: Received and Filed.

- (b) Hearings Officer Decision - Variance No. 07-2 - Urban Renewal Agency and City of Salem - 2600 Block of Portland Road NE - Ward 5 - Councilor Stucky - Highland (CD)

Action: Received and Filed.

- (c) Historic Landmarks and Design Review Commission Decision - Design Review Case No. 07-4 - Salem Senior Center - 2600 Block of Portland Road NE - Ward 5 - Councilor Stucky - Highland (CD)

Action: Received and Filed.

- (d) Historic Landmarks and Design Review Commission Decision - Design Review Case No. 07-15 - Ronald J. Ped / Miriam Bednarz - 567 High Street SE - Ward 2 - Councilor Tesler - SCAN (CD)

Action: Received and Filed.

- (e) Subdivision Review Committee Decision - Subdivision Plat No. 07-7 - Loren and Joan Malcolm - 4754 Center Street NE - Ward 6 - Councilor Rogers - ELNA (CD)

Action: Received and Filed.

- (f) UGA Development Review Committee Decision - Preliminary Declaration for Urban Growth Area Development Permit No. 07-3 - Dorchester Properties / Doug Nelson - 4200 Block of Croisan Creek Road SE - Ward 7 - Councilor DeHart - Croisan-Illahe (CD)

Action: Received and Filed.

- (g) Reimbursement from Homeland Security for Law Enforcement Officer Support (CD)

Action: Authorized the City Manager's Office to submit an (SF424) Application for Federal Assistance to reimburse City for Law Enforcement Officer support during air carrier operations.

- (h) Kettle Foods, Inc. - Wastewater Pretreatment Grant Request - Ward 2 - Councilor Tesler - SESNA (PW)

Action: Awarded a Pretreatment Grant, not to exceed \$50,000 to Kettle Foods, Inc.

- (i) Amendment to Intergovernmental Agreement - Terms of Loan from City of Salem to Urban Renewal Agency of the City of Salem - Ward 2 - Councilor Tesler - CAN-DO and SCAN (UD)

Action: Approved an amendment to an Intergovernmental Agreement (IGA) to increase the amount of a loan from the City of Salem to the Urban Renewal Agency of the City of Salem, for the purpose of funding a feasibility study, urban renewal plan, and urban renewal report for a proposed South Waterfront Urban Renewal Area.

- (j) First Amendment to the Disposition and Development Agreement for the 295 Church Street SE Redevelopment Project - Ward 2 - Councilor Tesler - CAN-DO (UD)

Action: Approved the first amendment to the Disposition and Development Agreement with Cascadia Development LLC (Cascadia) for the 295 Church Street SE redevelopment project (Attachment A of the staff report) to: 1) increase predevelopment cost by \$69,100 to \$317,580 for both public facilities; and 2) revise the design development schedule to allow for additional time to deliver the 50% pricing estimate - from May to July 2007.

5. SPECIAL ORDERS OF BUSINESS: (Includes consideration of items deferred from the consent calendar and any action item which requires a selection among options, or consideration of matters of special importance to the Council)

- (a) 4.2 (e) Resolution No. 2007-62 Setting Fees and Charges for the Towing of Vehicles (PD)

Motion: Move to adopt staff recommendation to approve Resolution No. 2007-62, increasing the towing administrative fee from \$100.00 to \$125.00.

Motion by: Councilor DeHart
Seconded by: Councilor Sullivan

Questions or Comments by: Councilors DeHart, Nanke, Clem, and Mayor Taylor.

Action: Approved Resolution No. 2007-62, increasing the towing administrative fee from \$100.00 to \$125.00.

Vote:
Aye: Unanimous
Nay:
Abstentions:

6. UNFINISHED BUSINESS: (Any business held over from a previous meeting, other than public hearings and ordinances)

None.

7. PUBLIC HEARINGS: (Includes deliberations and deliberations from hearings held over from previous meetings). Public hearings will commence no later than 7:30 p.m.

- (a) State Revenue Sharing Funds (CM)

Persons Testifying: None.

For:
Against:
Neutral:

Organizations: None.

For:
Against:
Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

Questions or Comments by: Councilors Nanke, Clem, and Mayor Taylor.

Motion: Move to approve Resolution No. 2007-46 - Electing to Receive a Share of Certain Revenues from the State of Oregon General Fund.

Motion by: Councilor Nanke

Seconded by: Councilor Rogers

Action: Approved Resolution No. 2007-46 - Electing to Receive a Share of Certain Revenues from the State of Oregon General Fund.

Vote:

Aye: Unanimous

Nay:

Abstentions:

(b) FY 2007-08 City of Salem Budget (CM)

Persons Testifying:

For: Thomas Smith, 1105 Savage Road NE
Darlene Strozut, 1940 Broadway Street NE
Linda Bierly, 2308 Ptarmigan Street NW

Against:

Neutral:

Organizations:

For: Kate Tarter, 3217 Northgate Avenue NE, Northgate
Diana Dickey, 4830 Lisa Street NE, Chair, Northgate
Thomas Smith, 1105 Savage Road NE, Chair, NESCA
Darlene Strozut, 1940 Broadway Street NE, Highland

Against:

Neutral: Jacqueline Schindele, 970 15th Street NE, Northeast Neighbors
Ken Simila, 1810 20th Street NE, Northeast Neighbors
Alan Scott, 1590 Norway Street NE, Northeast Neighbors

Evidence Received From:

For: Roz Shirack, 1645 Church Street SE
Kate Tarter, 3217 Northgate Avenue NE

Against:

Neutral:

Questions or Comments by: Councilors Sullivan, Rogers, Nanke, Clem, Stucky, and Mayor Taylor.

Motion: Move to adopt staff recommendation to: 1) approve the Budget Committee recommended 2007-08 City of Salem budget; 2) approve a budget amendment to the General Fund, Administrative Services Department for the Civic Center deck replacement project. Increase materials and services by \$1,804,800 and decrease capital outlay by \$1,200,000 for a net increase of \$604,800. Offsetting revenue of \$604,800 will come from an increase to Certificates of Participation, which is a debt financing instrument; 3) approve the following staff recommendations based on Budget Committee policy recommendations to City Council: a) direct staff to return to City Council after receiving six months of revenue from the photo red light program and evaluate budget estimates versus receipts to determine if revenues are sufficient to fund an additional court operations specialist position; b) direct staff to return to City Council after evaluating six months of FY 2007-08 transient occupancy tax receipts to determine if revenue is sufficient to reserve \$40,000 of Cultural and Tourism Fund contingencies for historic facility maintenance; and c) do not allocate savings from the Parks Division FY 2006-07 budget to fund deferred maintenance projects in FY 2007-08; and 4) accept as information a response to Councilor Rogers question regarding taxing district levies for the Salem Urban Renewal Agency.

Motion by: Councilor Nanke
Seconded by: Councilor Sullivan

Amendment to Motion: Move to add \$38,000 for communication by neighborhood associations.

Motion by: Councilor Sullivan
Seconded by: Councilor Nanke

Questions or Comments by: Councilors Sullivan, Nanke, Clem, DeHart, Guest Councilor Howells, and Mayor Taylor.

Action: \$38,000 for communication by neighborhood associations will be added.

Vote:
Aye: Unanimous
Nay:
Abstentions:

Action on Main Motion as Amended: 1) Approved the Budget Committee recommended 2007-08 City of Salem budget; 2) approved a budget amendment to the General Fund, Administrative Services Department for the Civic Center deck replacement project. Increase materials and services by \$1,804,800 and decrease capital outlay by \$1,200,000 for a net increase of \$604,800. Offsetting revenue of \$604,800 will come from an increase to Certificates of Participation; 3) approved the following staff recommendations based on Budget Committee policy recommendations to City Council: a) direct staff to return to City Council after receiving six months of revenue from the photo red light program and evaluate budget estimates versus receipts to determine if revenues are sufficient to fund an additional court operations specialist position; b) direct staff to return to City Council after evaluating six months of FY 2007-08 transient occupancy tax receipts to determine if revenue is sufficient to reserve \$40,000 of Cultural and Tourism Fund contingencies for historic facility maintenance; and c) do not allocate savings from the Parks Division FY 2006-07 budget to fund deferred maintenance projects in FY 2007-08; and 4) accept as information a response to Councilor Rogers question regarding taxing district levies for the Salem Urban Renewal Agency. Additionally, \$38,000 for communication by neighborhood associations will be added.

Vote:

Aye: Unanimous

Nay:

Abstentions: Councilor Clem recused himself on any portion of the budget that affects the aviation department or agreements with the State of Oregon; Councilor Stucky recused himself on portions of the budget that involve transient occupancy tax for funding received for the Highland concerts and for the portion that allocates HOME funds

- (c) Re-opened Public Hearing: Salem Transportation System Plan Amendments - to take further testimony and input on Rainier Drive SE and 23rd Street SE - Wards 2 and 4 - Councilors Tesler and Sullivan - SESNA and South Gateway (PW)

Persons Testifying: None.

For:

Against:

Neutral:

Organizations: None.

For:

Against:

Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

Questions or Comments by: Councilors Rogers, DeHart, Clem, Sullivan, and Mayor Taylor.

Motion: Move to continue the public hearing specific to 23rd Street until June 18, 2007 and deliberate on all the amendments to the Salem Transportation System Plan after the public hearing is closed.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Continued the public hearing specific to 23rd Street until June 18, 2007 and deliberation on all the amendments to the Salem Transportation System Plan will occur after the public hearing is closed.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (d) Continuation of May 7, 2007 Public Hearing - Council Review of Planning Commission Decision - Comprehensive Plan Change/Zone Change No. 06-6 - Pacific Realty Associates, L.P. - 2500 Block of Boone Rd SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Persons Testifying:

For: Jeff Tross, 1720 Liberty Street SE, representing the applicant
Dick Loffelmacher, 15350 SW Sequoia Parkway, Suite 300, Portland
Gregg Springer, 2020 Capitol Street, representing Salem Clinic physicians
Brian Sampson, 5015 Cultus Avenue SE

Against: Dan Reid, 4890 Chauncey Street SE
Scottie Wujcik, 5056 Riley Court SE
Bill Lufkin, 2245 Songbird Court SE
Mike Wilkes, 5278 Berkshire Court SE
John Miller, 4985 Battle Creek Road SE
Michelle Morrow, 475 Cottage Street NE, Suite 120, representing a number of residents
Larry George, 1285 Centennial Court SE
Vern Kingsley, 5018 Cultus Avenue SE
John Loney, 3325 Augusta National Drive S
Mark Hoyt, 475 Cottage Street NE, Suite 120
Mark Krautman, 4199 75th Avenue SE
Leonard Nelson, 1084 Garlock Avenue S

Neutral: T. J. Sullivan, 455 Inverness Drive SE

Organizations: None.

For:

Against:

Neutral:

Evidence Received From:

For: Robert Cantine, 1131 Pawnee Circle SE
Against: Leonard Nelson, 1084 Garlock Avenue S
Neutral:

Questions or Comments by: Mayor Taylor, and Councilors Stucky, Clem, DeHart, and Nanke.

Motion: Move to suspend Council Rules in order to extend the meeting an additional 30 minutes until 10:30 p.m.

Motion by: Councilor Nanke
Seconded by: Councilor Rogers

Action: Suspended Council Rules in order to extend the meeting an additional 30 minutes until 10:30 p.m.

Vote:

Aye: Councilors Nanke, Stucky, Rogers, DeHart, Clem and Mayor Taylor

Nay:

Abstentions: Councilor Sullivan recused himself

Questions or Comments by: Mayor Taylor, and Councilors Stucky, Clem, DeHart, and Nanke.

Motion: Move to suspend Council Rules in order to extend the meeting an additional 30 minutes until 11:00 p.m.

Motion by: Councilor Nanke

Seconded by: Councilor Rogers

Action: Suspended Council Rules in order to extend the meeting an additional 30 minutes until 11:00 p.m.

Vote:

Aye: Councilors Nanke, Stucky, Rogers, Clem and Mayor Taylor

Nay: Councilor DeHart

Abstentions: Councilor Sullivan recused himself

Motion: Move to continue the public hearing for the purpose of receiving the written response from staff until June 18, 2007 to answer the question to compare the DKS traffic count information and whether that justifies further improvements at the two intersections and the two collector streets.

Motion by: Councilor Clem

Seconded by: Councilor Nanke

Questions or Comments by: Councilors Clem, DeHart, Nanke, and Mayor Taylor.

Substitute Motion: Move to close the public hearing; leave the written record open until June 18, 2007 to answer any questions that Council will bring up, with the last day for all the parties to submit rebuttal as June 25, 2007; July 2, 2007 will be the last day for the applicant to submit final written arguments; no new evidence will be accepted; deliberations will occur on July 9, 2007.

Motion by: Mayor Taylor
Seconded by: Councilor Clem

Questions or Comments by: Mayor Taylor, and Councilors Clem, DeHart and Nanke.

Amendment to Motion: Move that questions from Councilors be limited to 5:00 p.m. on Wednesday.

Motion by: Councilor Clem
Seconded by: Councilor Stucky

Motion: Move to suspend Council Rules in order to extend the meeting an additional 30 minutes until 11:30 p.m.

Motion by: Councilor Nanke
Seconded by: Councilor Rogers

Action: Suspended Council Rules in order to extend the meeting an additional 30 minutes until 11:30 p.m.

Vote:

Aye: Councilors Nanke, Stucky, Rogers, Clem and Mayor Taylor

Nay: Councilor DeHart

Abstentions: Councilor Sullivan recused himself

Action on Amendment: Questions from Councilors will be limited to 5:00 p.m. on Wednesday.

Vote:

Aye: Councilors Nanke, Stucky, Rogers, DeHart, Clem and Mayor Taylor

Nay:

Abstentions: Councilor Sullivan recused himself

Action on Substitute Motion as Amended: Closed the public hearing; left the written record open until June 18, 2007 to answer any questions that Council will bring up by 5:00 p.m. on Wednesday; the last day for all the parties to submit rebuttal will be June 25, 2007; the last day for the applicant to submit final written arguments will be July 2, 2007; no new evidence will be accepted; deliberations will occur on July 9, 2007.

Vote:

Aye: Councilors Nanke, Stucky, Rogers, DeHart, Clem and Mayor Taylor

Nay:

Abstentions: Councilor Sullivan recused himself

8. CALENDAR OF ORDINANCE BILLS:

8.1 FIRST READING OF ORDINANCE BILLS

- (a) Ordinance No. 92-07 Relating to the Sign Code; amending SRC 62.540, SRC 62.550, SRC 62.560, SRC 62.570, SRC 62.575, SRC 62.590, SRC 62.600 and SRC 62.610; repealing SRC 62.580, and creating new provisions (CD)

Motion: Move to advance Ordinance No. 92-07 to second reading for enactment. Enactment of Ordinance No. 92-07 will clarify the Sign Code procedures and criteria for adjustments, variances and enforcement actions.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Advanced Ordinance No. 92-07 to second reading.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) Ordinance No. 94-07 Providing Financing to Property Owners for Payment of Parks, Water, Sewer, and Transportation System Development Charges Against Property Located in Salem, Oregon Making Provisions Therefor; and Declaring an Emergency - Wards 4 and 8 - Councilors Sullivan and Clem - South Gateway and West Salem (PW)

Motion: Move to advance Ordinance No. 94-07 to second reading and adoption, establishing a lien on the property listed.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Advanced Ordinance No. 94-07 to second reading.

Vote:

Aye: Unanimous

Nay:

Abstentions:

8.2 SECOND READING OF ORDINANCE BILLS

None.

9. MANAGEMENT REPORTS

None.

10. PUBLIC COMMENT: (Other than agenda items)

None.

11. NEW BUSINESS:

11.1 MAYOR'S ITEMS

None.

11.2 COUNCILOR'S ITEMS

None.

12. ADJOURNMENT: 11:05 P.M.

Kathy Hall, City Recorder